

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 23 March 2001 (23.03.01)	Applicant's or agent's file reference PDC/MIW21505
International application No. PCT/IB00/00241	Priority date (day/month/year) 05 July 1999 (05.07.99)
International filing date (day/month/year) 29 February 2000 (29.02.00)	
Applicant BAYASSI, Mulham	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

05 February 2001 (05.02.01)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

S. Mafla

Telephone No.: (41-22) 338.83.38

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PDC/MIW21505	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 00/ 00241	International filing date (day/month/year) 29/02/2000	(Earliest) Priority Date (day/month/year) 05/07/1999
Applicant CANAL+ SOCIETE ANONYME et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

5



None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00241

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L12/58

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 197 55 742 A (THOMSON BRANDT GMBH) 17 June 1999 (1999-06-17)	1, 2, 6, 10, 12, 13, 15, 19-22, 24, 26, 30, 33, 37-41, 44-50
Y	column 1, line 11 -column 2, line 30 column 3, line 8 -column 3, line 48	3, 4, 7, 9, 11, 16, 17, 25, 29, 31, 34, 35, 42
A	---	14, 27, 28, 32
	--- -/--	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

2 June 2000

Date of mailing of the international search report

28/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Siebel, C

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00241

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 97 12486 A (BOSTON TECH INC) 3 April 1997 (1997-04-03) page 14, line 33 -page 15, line 36 ---	23
Y	EP 0 639 918 A (NEWS DATACOM LTD) 22 February 1995 (1995-02-22) column 6, line 5 -column 6, line 39 claims 5,10 ---	3,4,25, 42
A	---	5,43
Y	US 5 884 284 A (BROWN CHRISTOPHER ET AL) 16 March 1999 (1999-03-16) column 1, line 6 -column 2, line 45 ---	7
A	---	8
Y	EP 0 905 944 A (SIEMENS AG) 31 March 1999 (1999-03-31) claim 3 ---	9,29
Y	EP 0 866 586 A (AT & T CORP) 23 September 1998 (1998-09-23) claims 1,4 ---	11,31
Y	WOERNER A: "DVB-TRANSPORTSTROMUEBERWACHUNG IN VERTEILNETZWERKEN" FERNSEH UND KINOTECHNIK,DE,VDE VERLAG GMBH. BERLIN, vol. 52, no. 7, July 1998 (1998-07), pages 408-410, XP000862950 ISSN: 0015-0142 page 406, line 1-29 ---	16,17, 34,35
A	-----	18,36

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 00/00241

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 19755742 A	17-06-1999	NONE	
WO 9712486 A	03-04-1997	AU 7246996 A EP 0852880 A JP 11512903 T US 6006257 A	17-04-1997 15-07-1998 02-11-1999 21-12-1999
EP 0639918 A	22-02-1995	IL 106746 A AU 681412 B AU 7035794 A CA 2130392 A JP 7212328 A US 5414773 A US 5715315 A	18-02-1997 28-08-1997 02-03-1995 20-02-1995 11-08-1995 09-05-1995 03-02-1998
US 5884284 A	16-03-1999	US 5696906 A	09-12-1997
EP 0905944 A	31-03-1999	DE 19743363 A	08-04-1999
EP 0866586 A	23-09-1998	CA 2227729 A JP 10275120 A	13-09-1998 13-10-1998

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

To:

MATHYS & SQUIRE
Attn. COZENS, P.
100 Gray's Inn Road
London WC1X 8AL
UNITED KINGDOM

Date of mailing
(day/month/year)

28/06/2000

Applicant's or agent's file reference

PDC/MIW21505

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/IB 00/ 00241

International filing date
(day/month/year)

29/02/2000

Applicant

CANAL+ SOCIETE ANONYME et al.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Fascimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Doreen Golze

FR 036851

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PDC/MIW21505	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 00/ 00241	International filing date (day/month/year) 29/02/2000	(Earliest) Priority Date (day/month/year) 05/07/1999
Applicant CANAL+ SOCIETE ANONYME et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of Invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

5

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00241

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04L12/58

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
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Y	column 1, line 11 -column 2, line 30 column 3, line 8 -column 3, line 48	3,4,7,9, 11,16, 17,25, 29,31, 34,35,42
A	---	-14,27, 28,32
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O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

8 document member of the same patent family

Date of the actual completion of the international search

2 June 2000

Date of mailing of the international search report

28/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Siebel, C

FR 036853

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/IB 00/00241

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 97 12486 A (BOSTON TECH INC) 3 April 1997 (1997-04-03) page 14, line 33 -page 15, line 36 ---	23
Y	EP 0 639 918 A (NEWS DATACOM LTD) 22 February 1995 (1995-02-22) column 6, line 5 -column 6, line 39 claims 5,10	3,4,25, 42
A	---	5,43
Y	US 5 884 284 A (BROWN CHRISTOPHER ET AL) 16 March 1999 (1999-03-16) column 1, line 6 -column 2, line 45	7
A	---	8
Y	EP 0 905 944 A (SIEMENS AG) 31 March 1999 (1999-03-31) claim 3	9,29
Y	EP 0 866 586 A (AT & T CORP) 23 September 1998 (1998-09-23) claims 1,4	11,31
Y	WOERNER A: "DVB-TRANSPORTSTROMUEBERWACHUNG IN VERTEILNETZWERKEN" FERNSEH UND KINOTECHNIK,DE,VDE VERLAG GMBH. BERLIN, vol. 52, no. 7, July 1998 (1998-07), pages 408-410, XP000862950 ISSN: 0015-0142 page 406, line 1-29	16,17, 34,35
A	-----	18,36

FR 036854

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 00/00241

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 19755742 A	17-06-1999	NONE	
WO 9712486 A	03-04-1997	AU 7246996 A EP 0852880 A JP 11512903 T US 6006257 A	17-04-1997 15-07-1998 02-11-1999 21-12-1999
EP 0639918 A	22-02-1995	IL 106746 A AU 681412 B AU 7035794 A CA 2130392 A JP 7212328 A US 5414773 A US 5715315 A	18-02-1997 28-08-1997 02-03-1995 20-02-1995 11-08-1995 09-05-1995 03-02-1998
US 5884284 A	16-03-1999	US 5696906 A	09-12-1997
EP 0905944 A	31-03-1999	DE 19743363 A	08-04-1999
EP 0866586 A	23-09-1998	CA 2227729 A JP 10275120 A	13-09-1998 13-10-1998

FR 036855

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

FR 036856

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

FR 036857

WO 01/03386 A1



Published:

— With international search report.

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 00/00241

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L12/58

According to International Patent Classification (IPC) or to both national classification and IPC

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Minimum documentation searched (classification system followed by classification symbols)

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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

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"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

2 June 2000

Date of mailing of the international search report

28/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Siebel, C

INTERNATIONAL SEARCH REPORT

Inter Application No
PCT/IB 00/00241

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

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Y	EP 0 905 944 A (SIEMENS AG) 31 March 1999 (1999-03-31) claim 3	9,29
Y	EP 0 866 586 A (AT & T CORP) 23 September 1998 (1998-09-23) claims 1,4	11,31
Y	WOERNER A: "DVB-TRANSPORTSTROMUEBERWACHUNG IN VERTEILNETZWERKEN" FERNSEH UND KINOTECHNIK,DE,VDE VERLAG GMBH. BERLIN, vol. 52, no. 7, July 1998 (1998-07), pages 408-410, XP000862950 ISSN: 0015-0142 page 406, line 1-29	16,17, 34,35
A		18,36

INTERNATIONAL SEARCH REPORT

Information on patent family members

Inter Application No

PCT/IB 00/00241

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 19755742 A	17-06-1999	NONE	
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EP 0639918 A	22-02-1995	IL 106746 A AU 681412 B AU 7035794 A CA 2130392 A JP 7212328 A US 5414773 A US 5715315 A	18-02-1997 28-08-1997 02-03-1995 20-02-1995 11-08-1995 09-05-1995 03-02-1998
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PATENT COOPERATION TREATY

PCT

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REC'D 29 OCT 2001

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PDC/MPF/21505	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB00/00241	International filing date (<i>day/month/year</i>) 29/02/2000	Priority date (<i>day/month/year</i>) 05/07/1999
International Patent Classification (IPC) or national classification and IPC H04L12/58		
Applicant CANAL+ SOCIETE ANONYME et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 05/02/2001	Date of completion of this report 24.10.2001
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Droneau, S Telephone No. +49 89 2399 7954



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00241

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-19 as originally filed

Claims, No.:

1-50 as originally filed

Drawings, sheets:

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB00/00241

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	2-18, 20, 21, 25-37, 40, 42-45, 47-50
	No:	Claims	1, 19, 22-24, 38, 39, 41, 46, 49, 50
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-50
Industrial applicability (IA)	Yes:	Claims	1-50
	No:	Claims	

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00241

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

I

The following documents have been considered for the purposes of this report:

D1: DE 197 55 742 A

D2: WO 97 12486 A

II

- 1a. The present broad formulation of independent method claims 1, 19 and 22 is such that their subject-matters can be read onto the prior art disclosure of Document D1.

Document D1 indeed already describes:

- a method of notifying a user of the receipt of an e-mail by a mail center, comprising a notification message (cf. D1, column 2 lines 1-7) in a broadcast signal (cf. D1, column 2 lines 14-17 "pager")
- a method of notifying a user of the receipt of an e-mail by a mail center, which e-mail is to be transmitted to the user via a first medium ("internet"), comprising transmitting a notification message, indicating the receipt of e-mail by the mail center, to the user via a second medium, different from the first medium. (cf. D1, column 2, lines 14-17, "pager" or "Mobilfunktelefon")
- a method for transferring an e-mail from a mail center to a user, comprising transmitting at least part of the e-mail in the broadcast signal (cf. D1, column 2, lines 26-30)

As this document identically discloses all the features of independent claims 1, 19 and 22 the subject-matter of these claims lacks novelty and claims 1, 19 and 22 do not meet the requirements of Article 33(2) on the PCT.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00241

2. The present broad formulation of independent method Claim 23 is such that its subject-matters can be read onto the prior art disclosure of Document D2.

Document D2 indeed already describes a method for communicating with a mail centre, comprising running an e-mail application on a receiver/decoder (cf. page 14, line 33-page 15, line 36).

As this document identically discloses all the features of independent claim 23 the subject-matter of this claim lacks novelty and claim 23 does not meet the requirements of Article 33(2) on the PCT.

3. Independent claims 24, 38 and 39 contain respectively the same features as, respectively claims 1, 19 and 22 in terms of apparatus claims and hence do not meet the requirements of Article 33(2) PCT for the same reasons.
4. Independent claims 41 and 46 contain respectively the features as, respectively claims 1 and 19 in terms of receiver/decoder claims and hence do not meet the requirements of Article 33(2) PCT for the same reasons.
5. The dependent claims 2 to 18, 20 to 21, 25 to 37, 40, 42 to 45, 47 to 50 do not seem to contain any subject-matter which, in combination with the subject on the claim on which they depend, would lead to a claim involving inventive activity (Article 33(3) of the PCT).

Their features are either directly derivable from the above-cited documents or concern simple embodiments without inventive merits in themselves.

VII. Certain defects in the international application

1. The independent claims are not properly cast in the two-part form, with those features which in combination are part of the prior art (see document D1-D2), being placed in the preamble (see Rule 6.3(b) PCT).
2. Documents D1 and D2 are not identified in the description and the relevant

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

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background art disclosed therein is not briefly discussed (see Rule 5.1(a)(ii) PCT).

3. Reference signs in parentheses are not inserted in the claims to increase their intelligibility, Rule 6.2(b) PCT. This applies to both the preamble and characterising portion.

VIII. Certain observations on the international application

1. The various definitions of the invention given in independent method claims 1, 19, 22, 23, and 49, in independent system claims 24, 38, 39 and 50, and in independent receiver/decoder claims 41 and 46 are such that the claims as a whole are not clear and concise, contrary to Article 6 PCT.
2. Method Claim 49 and apparatus claim 50 do not meet the requirements of Article 6 PCT for lack of clarity. Indeed, the claims must not, in respect with the technical features of the invention, rely on references to the description or drawings (cf. Rule 6.2(a); Guidelines PCT III-4.11).